



## International Center for Technology Assessment

660 Pennsylvania Ave., S.E., Suite 302, Washington, DC 20003,  
(202) 547-9359 fax (202) 547-9429

For Immediate Release:  
January 8, 2003

Contact: Peter Jenkins (202) 547-9359  
Joseph Mendelson (202) 547-9359

### **LAWSUIT FILED AGAINST USDA TO HALT COMMERCIALIZATION OF GENETICALLY ENGINEERED LAWN GRASS**

#### **GROUPS SAY FEDERAL AGENCY IGNORES SERIOUS ENVIRONMENTAL AND ECONOMIC RISKS**

Washington D.C.- Today, the International Center for Technology Assessment (CTA), filed a lawsuit in federal district court to halt any commercialization of genetically engineered lawn grasses. The legal action filed against the United States Department of Agriculture (USDA) claims that the agency has consistently ignored the serious environmental and economic risks of biotech grass. Citing the significant hazards posed by these gene altered products, CTA is demanding that USDA list them as "noxious weeds" which would bar them from any future approval or use. The plaintiffs also seek a court order to halt any further field trials of these biotech grasses until the weed questions are answered.

At issue in the lawsuit are novel varieties of creeping bentgrass and Kentucky bluegrass that have been genetically engineered to resist Roundup, a popular herbicide. These grasses are poised to be the first ever biotech plants sold for use by the general public, including homeowners, golf course managers, schools and others. Monsanto Co., a leader in pushing biotech products, and Scotts Co., the nation's most prominent lawn and garden product marketer, have sought federal approval to commercialize a gene altered variety of creeping bentgrass. This variety is the most popular for use in golf course greens and may be used for residential and commercial lawns.

The biotech grass variety is resistant to the top-selling weedkiller Roundup™, a brand owned by Monsanto for which it has licensed exclusive marketing rights to Scotts. Currently, use of the Roundup weedkiller is limited to spot spraying of weeds in that the herbicide kills any grass it comes in contact with. The new GE grass has been altered to be resistant to the weedkiller so that users will be able to spray entire lawns, fields and golf courses with the chemical without fear of hurting the grass. Large scale planting of the biotech grass would therefore massively increase the amounts of herbicide used in home lawns, sports fields, schools and golf courses around the country.

In their Complaint plaintiffs note that conventional bentgrass and Kentucky bluegrass are broadly recognized as weeds and have been serious invaders into park, wilderness and other natural areas. Up to now Roundup has been used to control these weeds. However, the new biotech varieties have been engineered to be resistant to that herbicide and will therefore be much more difficult to

eradicate. Once released into the environment, the biotech grasses will become “superweeds” that could proliferate at will. The complaint also describes the major “biological pollution” threat presented by biotech grass. Grass is a wind-pollinated species whose pollen blows easily for hundreds of yards and it readily hybridizes with other grasses. Citing these and other risks, CTA petitioned USDA in July, 2002, to list genetically engineered varieties of these grasses as “noxious weeds.” However the agency has refused to answer that petition. This refusal triggered today's legal action.

“Biotech grasses represent a very real environmental and economic threat to communities and natural areas throughout the country,” said CTA Executive Director Andrew Kimbrell. “Going to court was the only way to ensure that these “super weeds” are not released into our neighborhoods.” Kimbrell concluded.

Peter Jenkins, CTA attorney, stated, “Federal regulators are suppose to act evenhandedly, not to favor the biotechnology industry over environmental and consumer interests. Unfortunately, we’ve had to sue USDA to force the agency just to look at the science.”

CTA is joined in the lawsuit by the consumer group, the Center for Food Safety, and by the individual plaintiff Faith Campbell, a long time advocate for stronger regulatory controls on weed proliferation.

- OOO -

The legal complaint is available on line at: [www.centerforfoodsafety.org](http://www.centerforfoodsafety.org)

CTA’s original legal petition is available at: [www.icta.org/petit-grass.htm](http://www.icta.org/petit-grass.htm)